



DEPARTMENT OF THE ARMY  
OFFICE OF THE ASSISTANT SECRETARY  
MANPOWER AND RESERVE AFFAIRS  
111 ARMY PENTAGON  
WASHINGTON, DC 20310-0111

March 26, 2003

MEMORANDUM FOR DEPUTY COMMANDING GENERAL, UNITED STATES  
ARMY, EUROPE AND SEVENTH ARMY, UNIT 29351,  
APO AE 09014

SUBJECT: Request for Theatre-Wide Exemption from the Third Wave Initiative

Reference memorandum, Headquarters, United States Army, Europe and Seventh Army (USAREUR), November 27, 2002, subject: Request for Theatre-Wide Exemption from the Third Wave Initiative

This is in response to your request for a complete exemption from the Third Wave Implementation process. In reviewing your submission, I have found it difficult to analyze all the possible courses of action available under the Third Wave. Your submission focuses exclusively on the difficulties surrounding outsourcing positions currently filled with local national employees. Since you have not provided citations to the exact section of each Status of Forces Agreement (SOFA), it is impossible to assess your position on this issue. Additionally, you have not described the functions being performed in sufficient detail for me to analyze the issues of divestiture, transfer or military conversion. For example, some of these functions could be inherently Governmental in nature or required by statute to be performed by a U.S. Government employee. I am prepared to grant an exemption from A-76 in the limited case of local nationals, provided that you support your argument with specific citations to the SOFAs. Please be advised that the standard of review is as follows:

The senior HQDA functional official for a function must describe and substantiate specifically how preparation and implementation of a Third Wave implementation plan for each course of action poses substantial and specific risks to a core war-fighting mission of the Army (i.e., a core competency) or violates a statutory requirement affecting a function. The following are the risk factors to evaluate this request: force management risk; operational risk; future challenges; and institutional risk. How these risk criteria are applied may vary based on each course of action evaluated (i.e., A-76; alternatives to A-76; military conversions; transfer to another agency; divestiture). Therefore, exemption requests and decisions must assess the potentially adverse impact of each course of action.

I look forward to receiving the information requested above.

Dr. John C. Anderson is my point of contact. He can be reached at (703) 614-8247 commercially or DSN: 224-8247.

A handwritten signature in black ink, appearing to read "Reginald J. Brown", with a stylized flourish at the end.

Reginald J. Brown  
Assistant Secretary of the Army  
(Manpower and Reserve Affairs)

Enclosure

## **CODING RULES for USAREUR and forces in Europe**

- |   |   |
|---|---|
| 1. Foreign Nationals  | Code L – Protected by law, statute, treaty or agreement |
| 2. Other positions (unless covered by other exemptions/decisions) | Code R - Reviewable                                     |